



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JDL:TRP  
F. # 2011R01705

*271 Cadman Plaza East  
Brooklyn, New York 11201*

September 20, 2013

**TO BE FILED UNDER SEAL**

The Honorable Sterling Johnson, Jr.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Tyjuan Jenkins  
Criminal Docket No. 11-535 (S-1) (SJ)

Dear Judge Johnson:

The government respectfully submits this letter in reference to the defendant's sentence, which is scheduled before the Court on September 27, 2013.

**I. Background**

As noted in the United States Department of Probation's Presentence Investigation Report ("PSR"), in 2007, the Drug Enforcement Administration ("DEA") began an investigation into a drug trafficking organization responsible for distributing over 3,000 kilograms of marijuana across the United States. (See PSR ¶ 4). The organization mailed parcels containing marijuana from California and Arizona to New York. Id. In furtherance of the investigation, United States Postal Inspectors seized parcels containing over \$246,630 and approximately 45 kilograms of marijuana. (See PSR ¶ 5). DEA's investigation, which included a wiretap investigation on several of the defendants' telephones, revealed the involvement of the defendant in this conspiracy, and agents intercepted conversations in which the defendant discussed marijuana trafficking with other members of the organization. The defendant's role in the organization was that that he obtained marijuana from the leaders of the organization and distributed it to others. (See PSR ¶ 6). In addition, the defendant deposited drug proceeds into bank accounts controlled by one of the leaders of the organization. Id. On or about November 18, 2010, agents recovered over two pounds of marijuana from the defendant after agents observed him leave the organization's stash house located in Brooklyn. Id. In addition, agents intercepted a mail package sent to the defendant which contained approximately 10 kilograms of marijuana. Id.

On April 5, 2012, the defendant pled guilty pursuant to a plea agreement, to a lesser-included offense of Count One of the superseding indictment, charging a conspiracy to distribute and possess with intent to distribute marijuana, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(C). (See PSR ¶ 1).

II. The Defendant's Guidelines Calculations

The PSR calculates the defendant's applicable advisory sentencing range under the United States Sentencing Guidelines ("Guidelines") to be 12 to 18 months' imprisonment, based on an offense level of 13 and a Criminal History Category of I. (See PSR §§ 12-21, 24 and 58). The government agrees that the defendant is eligible for a safety-valve reduction pursuant to U.S.S.G. §§ 2D1.1(b)(11) and 5C1.2(a), which reduction is already reflected in the above Guidelines calculation.

III. Conclusion

Based on the foregoing, the government respectfully requests a sentence that takes into account the seriousness of the offense, the defendant's role in the offense, promotes respect for the law, deters others from committing similar crimes and is sufficient but not greater than necessary to comply with the purposes set forth in 18 U.S.C. § 3553(a).

Respectfully submitted,

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